

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 02-3665

Edgar Orantes Castillo,

Petitioner,

v.

John D. Ashcroft, Attorney General
of the United States,

Respondent.

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Petition for Review of
an Order of the Immigration
and Naturalization Service.

[UNPUBLISHED]

Submitted: October 2, 2003

Filed: October 16, 2003

Before RILEY, HANSEN, and SMITH, Circuit Judges.

PER CURIAM.

Guatemalan citizen Edgar Orantes Castillo petitions for review of an order of the Board of Immigration Appeals (BIA) summarily affirming an Immigration Judge's denial of his application for asylum and withholding of removal. Orantes Castillo argues that the BIA abused its discretion in denying his asylum claim, and that it abused its discretion and deprived him of due process by summarily affirming the Immigration Judge's decision without a separate opinion stating its reasons. After careful review of the record, we deny the petition.

We conclude that the BIA's decision is supported by substantial evidence, as Orantes Castillo did not show past persecution or a well-founded fear of future persecution. He presented no evidence that the guerrilla forces sought to recruit him and his family because of their political opinion or any other protected characteristic. A mere attempt to increase the fighting ranks does not warrant asylum, and Orantes Castillo admitted that was the guerrillas' motive. See INS v. Elias-Zacarias, 502 U.S. 478, 482-83 (1992). Further, the government presented evidence of changed conditions in Guatemala: the civil war has ended and guerrilla forces have disbanded and are participating in the political process. See Melecio-Saquil v. Ashcroft, 337 F.3d 983, 987 (8th Cir. 2003).

In addition, we find that the BIA's summary affirmance was not an abuse of discretion, see Dominguez v. Ashcroft, 336 F.3d 678, 680 (8th Cir. 2003), and we conclude that there was no violation of Orantes Castillo's due process rights in this case, see Georgis v. Ashcroft, 328 F.3d 962, 967 (7th Cir. 2003).

Accordingly, we deny the petition.
